

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Albert D. Ivory,

File No. 23-cv-116 (ECT/DJF)

Plaintiff,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

State of Minnesota, *Corporate Court*,

Defendant.

Magistrate Judge Dulce J. Foster issued a Report and Recommendation on March 21, 2023. ECF No. 3. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 3] is **ACCEPTED**;
2. Plaintiff's Petition for Writ of Mandamus [ECF No. 1] is **DENIED**;
3. Plaintiff's application to proceed *in forma pauperis* [ECF No. 2] is **DENIED**;
4. Plaintiff be required to pay the full amount this action's statutory filing fee (\$350.00) in the manner prescribed by 28 U.S.C. § 1915(b)(2), and the Clerk of Court be required to provide notice of this requirement to the authorities at the institution where Mr. Ivory is confined; and

5. This case is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 2, 2023

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court